

Article - Health - General

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§15–103.3.

(a) There is a HealthChoice Performance Incentive Fund established in the Department.

(b) (1) The Department shall pay all fines collected under § 15–103(b)(12)(v) of this subtitle and penalties collected under § 15–103.7(e)(2)(iv) of this subtitle to the Comptroller of the State.

(2) The Comptroller shall distribute the fines to the Fund.

(c) (1) The Fund shall be used exclusively for the provider reimbursement budget under the HealthChoice Program, including providing financial incentives designed to improve the quality of care to managed care organizations that exceed performance targets.

(2) The Fund is a continuing nonlapsing fund not subject to § 7–302 of the State Finance and Procurement Article.

(3) Except as provided in paragraph (4) of this subsection, any unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified in this section.

(4) At the end of each fiscal year, any amount in excess of \$5 million shall revert to the General Fund.

(d) (1) The Secretary or the Secretary's designee shall administer the Fund.

(2) The Secretary shall adopt regulations to carry out the provisions of this section, including the distribution of money from the Fund to managed care organizations.

(e) The Legislative Auditor shall audit the accounts and transactions of the Fund as provided in § 2–1220 of the State Government Article.

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